

# EXHIBIT G



## Transcript of **Direct Building**

Monday, March 1, 2021

*Keybank National Association v. Direct Building Products Corp*

www.trustpoint.one  
www.alderonreporting.com  
800.FOR.DEPO (800.367.3376)  
Scheduling@Trustpoint.One

Reference Number: 99751

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEW JERSEY  
3 CIVIL ACTION NO. 2-20-mc-00170-KSH

4 - - - - -

5 KEYBANK NATIONAL ASSOCIATION,  
6 Plaintiff,  
7 vs.

8 DIRECT BUILDING PRODUCTS CORP., and YOEL DEEN,  
9 Defendants.

10 - - - - -

11  
12 TRANSCRIPT of the stenographic notes of  
13 the Proposed Remote Videoconferenced deposition of  
14 Direct Building Products Corp. in the above-entitled  
15 matter, as taken by and before LORRAINE B. ABATE, a  
16 Certified Court Reporter and Notary Public of the  
17 State of New Jersey and Registered Professional  
18 Reporter, held on March 1, 2021, commencing at 10:06  
19 a.m., pursuant to Order.

20  
21  
22  
23  
24  
25

1 A P P E A R A N C E S:

2 (ALL APPEARANCES ARE VIA REMOTE VIDEOCONFERENCE  
3 AND/OR TELEPHONE)

4

5 WONG FLEMING, ESQS.

6 Attorneys for the Plaintiff

7 821 Alexander Road

8 Suite 200

9 Princeton, New Jersey 08540

10 BY: DANIELLE PIERRE, ESQ.

11 (609) 951-9520

12 dpierre@wongfleming.com

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

E X H I B I T S

PLAINTIFF'S	PAGE
1 Notice of Deposition	5
2 E-Mail dated February 19, 2021	5
3 E-Mail Correspondence	6

\* \* \* ALL EXHIBITS RECEIVED, MARKED AND  
RETURNED ELECTRONICALLY \* \* \*

1 MS. PIERRE: My name is Danielle Pierre,  
2 an associate with Wong Fleming, counsel for  
3 Keybank National Association.

4 This was to be a Federal Rule of Civil  
5 Procedure Rule 30(b)(6) and 69 deposition or  
6 debtor's examination of Direct Building Product  
7 Corporation related to a judgment entered in  
8 favor of Keybank in the Southern District of New  
9 York, case No. 20:cv-0059 which was later  
10 domesticated to the District of New Jersey, case  
11 No. 20-mc-00170.

12 The deposition was set to begin at 10  
13 a.m. It is now 10:06 a.m., and the  
14 representative for Direct Building Products  
15 Corp. has not appeared. In addition, counsel  
16 for the deponent is not here.

17 We will go off the record for 15 minutes  
18 to give the deponent and/or his counsel a bit  
19 more time.

20 (There was a recess taken.)

21 MS. PIERRE: The time is now 10:22 and  
22 the deponent and his counsel have not appeared.

23 During the period that we were off the  
24 record, I sent an e-mail to counsel for Direct  
25 Building reminding him of the deposition start

1 time and asking whether he will be appearing  
2 with his client.

3 Counsel responded to my e-mail  
4 indicating that he thought we had agreed to  
5 reschedule. That is not the case.

6 I'll provide all e-mail correspondence  
7 evidencing our communication as exhibits, and I  
8 would like to mark a few quick exhibits.

9 As Plaintiff's Exhibit 1, the notice of  
10 deposition served upon counsel via e-mail and  
11 certified mail to counsel's address to receive  
12 service on behalf of Direct Building Products  
13 Corporation.

14 (Plaintiff's Exhibit 1, Notice of  
15 Deposition, marked for identification, as of  
16 this date.)

17 MS. PIERRE: As Plaintiff's Exhibit 2,  
18 e-mail correspondence dated February 19, 2021,  
19 from myself, Danielle Pierre, counsel for  
20 Keybank to counsel for Direct Building, Sheldon  
21 Gopstein, asking him to ensure that his client  
22 appears for today's examination.

23 (Plaintiff's Exhibit 2, E-Mail dated  
24 February 19, 2021, marked for identification, as  
25 of this date.)

1 MS. PIERRE: And as Plaintiff's  
2 Exhibit 3, all e-mail correspondence between  
3 myself and counsel for Direct Building relating  
4 to scheduling a date for a deposition of Direct  
5 Building.

6 Keybank reserves any and all rights to  
7 notice an examination for another date and time,  
8 to move to compel the deponent to appear for a  
9 deposition, to seek sanctions where appropriate,  
10 including reimbursement for the cost incurred in  
11 setting up today's deposition, and to file any  
12 other such motions where applicable.

13 (Plaintiff's Exhibit 3, E-Mail  
14 Correspondence, marked for identification, as of  
15 this date.)

16 (Time noted: 10:24 a.m.)  
17  
18  
19  
20  
21  
22  
23  
24  
25



C E R T I F I C A T E

STATE OF NEW JERSEY )

COUNTY OF ESSEX )

I, LORRAINE B. ABATE, a Certified Court  
Reporter of the State of New Jersey, Registered  
Professional Reporter and Notary Public, do hereby  
certify:

I reported the proceedings in the  
within-entitled matter, and that the within  
transcript is a true record of such proceedings.

I further certify that I am not related  
to any of the parties to this action by blood or  
marriage, and that I am in no way interested in the  
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 2nd day of March 2021.



LORRAINE B. ABATE, CCR, RPR

<p><b><u>WORD INDEX</u></b></p> <p>&lt; 0 &gt; 08540 2:9</p> <p>&lt; 1 &gt; 1 1:18 3:6 5:9, 14 10 4:12 10:06 1:18 4:13 10:22 4:21 10:24 6:16 15 4:17 19 3:7 5:18, 24</p> <p>&lt; 2 &gt; 2 3:7 5:17, 23 20:cv-0059 4:9 200 2:8 2021 1:18 3:7 5:18, 24 7:19 20-mc-00170 4:11 2-20-mc-00170-KSH 1:3 2nd 7:19</p> <p>&lt; 3 &gt; 3 3:8 6:2, 13 30(b)(6) 4:5</p> <p>&lt; 5 &gt; 5 3:6, 7</p> <p>&lt; 6 &gt; 6 3:8 609)951-9520 2:11 69 4:5</p> <p>&lt; 8 &gt; 821 2:7</p> <p>&lt; A &gt; a.m 1:19 4:13 6:16 ABATE 1:15 7:7, 23 above-entitled 1:14 ACTION 1:3 7:15 addition 4:15 address 5:11 agreed 5:4 Alexander 2:7 AND/OR 2:3 4:18 appear 6:8 APPEARANCES 2:2 appeared 4:15, 22 appearing 5:1 appears 5:22 applicable 6:12 appropriate 6:9</p>	<p>asking 5:1, 21 associate 4:2 ASSOCIATION 1:5 4:3 Attorneys 2:6</p> <p>&lt; B &gt; behalf 5:12 bit 4:18 blood 7:15 BUILDING 1:8, 14 4:6, 14, 25 5:12, 20 6:3, 5</p> <p>&lt; C &gt; case 4:9, 10 5:5 CCR 7:23 Certified 1:16 5:11 7:7 certify 7:10, 14 CIVIL 1:3 4:4 client 5:2, 21 commencing 1:18 communication 5:7 compel 6:8 CORP 1:8, 14 4:15 Corporation 4:7 5:13 Correspondence 3:8 5:6, 18 6:2, 14 cost 6:10 counsel 4:2, 15, 18, 22, 24 5:3, 10, 19, 20 6:3 counsel's 5:11 COUNTY 7:4 COURT 1:1, 16 7:7</p> <p>&lt; D &gt; DANIELLE 2:10 4:1 5:19 date 5:16, 25 6:4, 7, 15 dated 3:7 5:18, 23 day 7:19 debtor's 4:6 DEEN 1:8 Defendants 1:9 deponent 4:16, 18, 22 6:8 deposition 1:13 3:6 4:5, 12, 25 5:10, 15 6:4, 9, 11 DIRECT 1:8, 14 4:6, 14, 24 5:12, 20 6:3, 4 DISTRICT 1:1, 2 4:8, 10 domesticated 4:10</p>	<p>dpierre@wongfleming.com 2:12</p> <p>&lt; E &gt; ELECTRONICALLY 3:11 E-Mail 3:7, 8 4:24 5:3, 6, 10, 18, 23 6:2, 13 ensure 5:21 entered 4:7 ESQ 2:10 ESQS 2:5 ESSEX 7:4 evidencing 5:7 examination 4:6 5:22 6:7 Exhibit 5:9, 14, 17, 23 6:2, 13 EXHIBITS 3:10 5:7, 8</p> <p>&lt; F &gt; favor 4:8 February 3:7 5:18, 24 Federal 4:4 file 6:11 FLEMING 2:5 4:2 further 7:14</p> <p>&lt; G &gt; give 4:18 go 4:17 Gopstein 5:21</p> <p>&lt; H &gt; hand 7:19 held 1:18 hereunto 7:18</p> <p>&lt; I &gt; identification 5:15, 24 6:14 including 6:10 incurred 6:10 indicating 5:4 interested 7:16</p> <p>&lt; J &gt; JERSEY 1:2, 17 2:9 4:10 7:3, 8 judgment 4:7</p> <p>&lt; K &gt; KEYBANK 1:5 4:3, 8 5:20 6:6</p> <p>&lt; L &gt; LORRAINE 1:15</p>	<p>7:7, 23</p> <p>&lt; M &gt; mail 5:11 March 1:18 7:19 mark 5:8 MARKED 3:10 5:15, 24 6:14 marriage 7:16 matter 1:15 7:12, 17 minutes 4:17 motions 6:12 move 6:8</p> <p>&lt; N &gt; name 4:1 NATIONAL 1:5 4:3 NEW 1:2, 17 2:9 4:8, 10 7:3, 8 Notary 1:16 7:9 noted 6:16 notes 1:12 Notice 3:6 5:9, 14 6:7</p> <p>&lt; O &gt; Order 1:19 outcome 7:17</p> <p>&lt; P &gt; PAGE 3:5 parties 7:15 period 4:23 PIERRE 2:10 4:1, 21 5:17, 19 6:1 Plaintiff 1:6 2:6 PLAINTIFF'S 3:5 5:9, 14, 17, 23 6:1, 13 Princeton 2:9 Procedure 4:5 proceedings 7:11, 13 Product 4:6 PRODUCTS 1:8, 14 4:14 5:12 Professional 1:17 7:9 Proposed 1:13 provide 5:6 Public 1:16 7:9 pursuant 1:19</p> <p>&lt; Q &gt; quick 5:8</p> <p>&lt; R &gt; receive 5:11</p>	<p>RECEIVED 3:10 recess 4:20 record 4:17, 24 7:13 Registered 1:17 7:8 reimbursement 6:10 related 4:7 7:14 relating 6:3 reminding 4:25 Remote 1:13 2:2 reported 7:11 Reporter 1:16, 18 7:8, 9 representative 4:14 reschedule 5:5 reserves 6:6 responded 5:3 RETURNED 3:11 rights 6:6 Road 2:7 RPR 7:23 Rule 4:4, 5</p> <p>&lt; S &gt; sanctions 6:9 scheduling 6:4 seek 6:9 sent 4:24 served 5:10 service 5:12 set 4:12 7:18 setting 6:11 Sheldon 5:20 Southern 4:8 start 4:25 State 1:17 7:3, 8 STATES 1:1 stenographic 1:12 Suite 2:8</p> <p>&lt; T &gt; taken 1:15 4:20 TELEPHONE 2:3 thought 5:4 time 4:19, 21 5:1 6:7, 16 today's 5:22 6:11 TRANSCRIPT 1:12 7:13 true 7:13</p> <p>&lt; U &gt; UNITED 1:1</p> <p>&lt; V &gt; VIDEOCONFERENCE 2:2 Videoconferenced</p>
---	--	--	---	--

1:13  
vs 1:7

< W >

way 7:16

WHEREOF 7:18

within-entitled 7:12

WITNESS 7:18

WONG 2:5 4:2

< Y >

YOEL 1:8

York 4:9